

REMARKS

In light of the amendments above and remarks to follow, reconsideration and allowance of this application is respectfully requested.

Claims 1, 3, 6-13, 15-22, and 27-33 and new claims 34-36 are pending in this application. Claims 1, 12, and 16 have been amended herein.

Claims 1, 3, 6-13, 15-22, and 27-33 were rejected under 35 U.S.C. §103(a) as being unpatentable over broadcast service provider DISH Network hereinafter know as DishNetwork in view of McGill (US 6,449,597). The rejection is respectfully traversed.

Independent claim 1, as amended herein, recites in part as follows:

“an information provision management terminal device for collecting content sales information according to sale of said information contents provided to said user available at said information processing apparatus; and

a sales activity management apparatus for setting an amount of money to be remitted to said apparatus manufacturer **based upon at least said content sales information** inputted from said information provision terminal device **as compensation for difference between manufacturer's desired selling price and actual selling price of said information processing apparatus.**”

On page 3 of the Office Action, the Examiner asserted that “DishNetwork does not disclose setting amount of money to manufacturer based upon usage.” To cure such defect of DishNetwork, the Examiner relies on McGill to disclose such feature. It is respectfully submitted that the combination of DishNetwork and McGill does not disclose all the features of claim 1 as amended herein. That is, neither DishNetwork nor McGill disclose setting an amount of money based upon said content sales information as compensation for difference between

manufacturer's desired selling price and actual selling price of said information processing apparatus.

Accordingly, claim 1 is believed to be distinguishable from the applied combination of DishNetwork and McGill and withdrawal of the rejection to claim 1 is respectfully requested.

For reasons similar to those described above with regard to claim 1, amended independent claims 12 and 16 are believed to be distinguishable from the applied combination of DishNetwork and McGill and withdrawal of the rejection to claims 12 and 16 is respectfully requested.

Claims 3, 6-11, 13, 15, 17-22, and 27-33 depend from one of claims 1, 12, and 16, and, due to such dependency, are believed to be distinguishable from the applied combination of DishNetwork and McGill for at least the reasons previously described. Therefore, withdrawal of the rejection to claims 3, 6-11, 13, 15, 17-22, and 27-33 is respectfully requested.

New claims 34-36 depend from one of claims 1, 12, and 16, and, due to such dependency, are believed to be distinguishable from the applied combination of DishNetwork and McGill for at least the reasons previously described.

In the event, that the Examiner disagrees with any of the foregoing comments concerning the disclosures in the cited prior art, it is requested that the Examiner indicate where, in the reference or references, there is the basis for a contrary view.

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In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable over the prior art, and early and favorable consideration thereof is solicited.

Respectfully submitted,
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